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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,939	11/14/2003	Francoise Arnaud	244426US41DIV	7418
22850	7590	12/28/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			BAHTA, KIDEST	
			ART UNIT	PAPER NUMBER
			2125	
DATE MAILED: 12/28/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Applicati n N .

10/706,939

Applicant(s)

ARNAUD ET AL.

Examiner

Kidest Bahta

Art Unit

2125

-- The MAILING DATE of this communicati n appears on the cover sheet with the correspondence address --

## Period f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Pri rity under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lisinski et al. (U.S. Patent 5,260,866) in view of Thackston (U.S. Patent 6,295,513).

Regarding claims 1-28, Lisinski discloses a method to structure and manage the configuration of an industrial product, taking account of options selected by a customer, comprising: updating a database for clarifying a definition of each technical object and its inter-relations with other objects in the configuration by an expression of rules and constraints (Fig. 2, Fig. 6, Fig. 8); interactively and dynamically using the database during definition of the product, through the selection of options by the customer (Fig. 6; Abstract). all working on the database (Fig. 1). the industrial product is considered as a set of functions in a functional approach (Fig. 25); the contract management module works in connected or disconnected mode (Fig. 21); a technical object oriented configuration is used in which the options and the corresponding technical solutions are selected directly in a list sorted by ATA chapter, job category (column 6, lines 11-44; Fig. 5) and sales policy (Fig. 3B), this selection being

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made either individually or globally using a global procedure that joins a possible application and a weight to a set of options in the same functional domain (column 8, lines 14-38; column 9 and column 10); a functional oriented configuration is used that supplies a functional approach to directly select technical objects, specifying the required properties of a functional characteristic (column 5, lines 44-55); the contract manager may start a configuration checking process at any time (Fig. 5; Fig. 6),

However, Lisinski fails to disclose a set of technical objects is described, each technical object either representing a product function, or describing an implementation method for making a product configuration for such a product function, these objects representing the manufacturing options of the industrial product; the industrial product is an aircraft; a knowledge, a contract and mass management module (Fig. 9); an administration module. The knowledge management module is configured to manage technical objects each representing an aircraft; the contract management module is configured to manage fleet configurations of aircraft; the administration module is configured to manage user profiles; the mass management module is configured to manage mass of a customized configuration data supplied from a contract management module.

Thackston discloses a set of technical objects is described, each technical object either representing a product function, or describing an implementation method for making a product configuration for such a product function, these objects representing the manufacturing options of the industrial product (Fig. 1-

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Fig. 27); the industrial product is an aircraft (column 1, lines 55-58), a knowledge, a contract and mass management module (Fig. 9); an administration module (Fig. 12); the knowledge management module is configured to manage technical objects each representing an aircraft, the contract management module is configured to manage fleet configurations of aircraft, the administration module is configured to manage user profiles and the mass management module is configured to manage mass of a customized configuration data supplied from a contract management module (Fig. 12-22; column 13, lines 43-50; column 14, lines 31-41; i.e., Thackston discloses different modules that perform the some function in the industrial product of the claimed invention see Fig. 12-Fig. 22).

It would have been obvious to a person of ordinary skill in the art at the time of invention to modify the teaching of Lisinski with the teaching of Thackston in order to provide a system of making it possible for anyone to easily precisely and quickly prepare a complicated and long production process flow in matching with a current situation of a production line.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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5. Any inquiry concerning communication or earlier communication from the examiner should be directed to Kideest Bahta, whose telephone number is (571) 272-3737. The examiner can normally be reached on M-F from 7:30 a.m. to 4:00 p.m. If attempts to reach the examiner by phone fail, the examiner's supervisor, Leo Picard, can be reached (571) 272-3749. Additionally, the fax phone for Art Unit 2125 is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist at (703) 305-9600.

**Kideest Bahta**



December 21, 2004